

United States Environmental Protection Agency  
Washington, DC 20460Work Assignment Number  
ETS-0-**(11)****Work Assignment**☒ Original ☐ Amendment Number:Contract Number  
EP-W-09-033Contract Period  
Base ☒

Option Period Number

Title of Work Assignment  
Petroleum Refinery Initiative Support  
ActivitiesContractor  
EASTERN RESEARCH GROUP INC

Specify Section and Paragraph of Contract SOW

Purpose: ☒ Work Assignment Initiation ☐ Work Assignment Close-Out  
☐ Work Assignment Amendment ☐ Incremental Funding  
☐ Work Plan Approval

Periods of Performance

From: 10/01/09

To: 09/30/11

Comments:

☐ Superfund**Accounting and Appropriations Data**☒ Non-Superfund

Line	DC (Max 6)	Budget/FYs (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1											
2											
3											
4											
5											

**Authorized Work Assignment Ceiling**Contract Period:  
Previously Approved

Cost/Fee

LOE

This Action

Total

\$0.00

6,400

**Work Plan / Cost Estimate Approvals**

Contractor WP Dated:

Cost/Fee:

LOE:

Cumulative Approved:

Cost/Fee: \$0.00

LOE: 6,400

Work Assignment Manager Name

SOUNJAY K. GAIROLA

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(Signature)

(Date)

Project Officer Name

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(Date)

Other Agency Official Name

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(Date)

Contracting Official Name

RACHEL SCHWARTZ

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(Signature)

(Date)

Contractor Acknowledgement of Receipt and Approval of Workplan (Signature and Title)

Date

# Petroleum Refinery Initiative Support Activities

Contract: EP-W-09-033, Work Assignment: ETS-0-2(CE)

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## Summary Information

Title: Petroleum Refinery Initiative Support Activities  
Period of Performance: From: 10/01/09  
To: 09/30/11  
Award Date:  
Total Funding:

## Procurement Management Roles

### WORK ASSIGNMENT MANAGER:

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## Attachments

Attachment Name

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Petroleum Refinery Initiative Support Activities

# **Petroleum Refinery Initiative Support Activities**

Contract: EP-W-09-033, Work Assignment: ETS-0-2(CE)

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**EPA Contract #: EP-W-09-033 (ERG)**

## **STATEMENT OF WORK**

**Work Assignment #: ETS-0-2-(CE)**

1. **Title:** Petroleum Refinery Initiative Support Activities
2. **Period of Performance:** October 1, 2009 through September 30, 2011
3. **Work Assignment Manager (WAM) and Alternate WAM:**

WAM: Sounjay K Gairola  
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Alternate WAM: Shaun Burke  
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## **BACKGROUND**

The Air Enforcement Division (AED) in the Office of Civil Enforcement (OCE) has been conducting an investigation of the petroleum refining industry. This investigation has been focused on determining present and historic compliance of petroleum refineries with applicable Clean Air Act requirements. Applicable requirements include Prevention of Significant Deterioration (PSD)/New Source Review (NSR), New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and others. Over the past six years, EPA and several petroleum refiners have entered into Consent Decrees as a result of these investigations.

This work assignment includes refinery-specific case development assistance activities and tasks required to monitor the progress that refiners make in implementing their consent decrees. The work will encompass no more than one hundred (100) refineries owned by approximately fifty (50) companies. In no cases shall the contractor duplicate work that has been performed under any previous work assignments. The WAM will issue a technical direction when to refineries and/or companies to this work assignment. The contractor shall not provide any duplication of effort of the work already completed from the prior work assignment.

## **PURPOSE AND OBJECTIVE**

The purpose of this work assignment is to support EPA with case development and consent decree implementation activities related to OCE's petroleum refinery initiative. The contractor will support EPA in evaluating petroleum refinery data for case development activities. The types of data include emissions data, production throughput data, process data, and information on process modifications (including requests for expenditures and engineering studies). The contractor will review the data and information to identify process modifications that may have triggered Clean Air Act requirements (e.g., NSPS, PSD/NSR), and estimate emissions changes associated with these process changes. The contractor will provide a complete set of documentation for each process modification that may have resulted in emissions increases triggering regulatory requirements.

## **CONTRACT SOW REFERENCE**

The appropriate sections of the Contract SOW which cover the tasks in this work assignment are: Contract SOW, page 3, A (Enforcement Program Development and Implementation - all tasks), B (Enforcement Case Support - all tasks), C.I (Inspections), C.II

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(Laboratory Support), D.III (Information Management) and D.IV (Outreach Efforts and Logistical Support for Conferences, Workshops, Meetings, and Briefings), and E (Records Management) by providing administrative and technical support for case development and hearing preparation, and supporting inspections and sample collection and analysis activities.

## **SCOPE OF WORK - TASKS TO BE PERFORMED BY THE CONTRACTOR**

Under this work assignment, the Contractor shall provide administrative and technical support for case development and consent decree implementation activities. Support will be required by AED at EPA headquarters and EPA Regions 1 through 10. It is anticipated that contractor will support EPA with inspections of some of the refineries under consideration. The contractor will also assist EPA in preparing summary briefings of refinery analyses.

It is important to note that the contractor shall not make compliance and enforcement determinations. All the tasks described in this scope of work are intended to provide information and support to EPA in making appropriate final enforcement and compliance determinations and initiating any appropriate enforcement actions. While performing the tasks requested in this work assignment, contract personnel shall clearly identify themselves to selected parties and direct any questions regarding any compliance status to the EPA. The contractor shall provide a conflict of interest (COI) certification before initiating work on each technical direction issued.

As directed by the EPA WAM through written technical directives, the contractor shall perform the following activities that support case development and consent decree implementation.

### **Task 1. Management and Reporting**

The contractor shall prepare a work plan outlining the approach to completing this statement of work. The contractor shall submit a cost estimate identifying budgets and schedules for each task. Each month, the contractor shall submit activity reports to the WAM to summarize work performed during the previous month, itemized costs incurred, and expected costs for the next month. The contractor shall itemize costs by task. At the request of the WAM, the contractor shall further itemize the costs by company.

### **Task 2. Case Development/Refinery-specific Data Gathering and Analysis**

The contractor shall assist EPA in several refinery-specific data gathering and analysis tasks. Because these activities are ongoing for several of the refineries, not all of these activities will be required for each refinery. In no case shall the contractor duplicate work that has been performed under previous work assignments. The contractor shall track activities under this task separately for each petroleum refining company. Specific activities to be conducted under this task include:

- A. ***Collection, analysis, and presentation of technical information about the designated facilities.*** This task will require collection and review of all records available to the Agency or collected through information gathering authorities (e.g. CAA §114 information requests, inspections and State files). The contractor shall review the documentation for changes in plant operations that would affect air emissions and determine the effect these changes had on the design capacity and actual and potential emissions. The contractor shall calculate refinery-wide or unit-specific emissions estimates for PM, CO, SO<sub>x</sub>, VOC, and NO<sub>x</sub> at the direction of the EPA WAM.
- B. ***Administrative and other resource support tasks for case development and prosecution.*** This task will involve collating gathered files and data and indexing them for use in trial preparation. The Contractor shall provide administrative support to EPA Headquarters and Regional Offices. This may include "bate" stamping, indexing, photocopying, and/or filing of documents relevant to an investigation; creation and/or modification of privilege logs; and document formatting and processing. This support may require travel to EPA Regions. Each trip will require between 2 to 4 junior staff at least 3 days. Should specific time-critical deadlines need to be met, the travel requirements may be modified by the EPA WAM in a TD. The Contractor shall provide secure filing for all materials collected and generated under this work assignment, as most information will contain claims of confidentiality. The Contractor shall add the new documents to the index of the bate-stamped documents.

If directed by the EPA WAM, the Contractor shall create digitized images of specific documents. The digitized image must be an accurate representation of the original document, preserving all unique characteristics such as signatures or other identifying marks, including bate stamps. The digitized image must be comparable in quality to a standard photocopy of the original document. The Contractor shall save newly scanned documents to CD and deliver CDs to EPA as directed by the EPA WAM.

- C. ***Document Preparation.*** The contractor shall prepare documents, reports, or graphic presentations based on the information gathered in tasks A and B, as requested by EPA. These presentations must be of sufficient quality in draft for WAM's review and

final documents must be of high quality for presentation at trial or to senior EPA management. It is anticipated that this task will require 20 hours for each facility.

- D. **Technical and Financial Analysis.** The contractor shall perform a technical review and analysis of any changes in refinery operations. The contractor shall analyze the effects of any new control technology or process units to be installed at the refinery. The contractor shall also gather and analyze financial information to determine the economic feasibility of the potential control equipment, develop cost comparison of the various control technologies including operating and maintenance cost. The contractor shall support EPA in determining the economic benefit of non-compliance, ability to pay a penalty and the cost of implementing any proposed supplemental environmental projects.
- E. **Technical Experts.** The contractor shall provide control and process technology expert(s) assistance to EPA in analyzing evidence of changes/modifications made to process equipment. These technical expert(s) shall provide support to EPA as requested to support settlement negotiations. At the direction of EPA and in consultation with the Department of Justice (DOJ), the contractor shall identify and hire necessary expert witnesses for testimony in trials or hearings. These expert witnesses must be sufficiently familiar with the facility and refinery industry to qualify as an expert in the refinery/chemical industry. (Technical experts identified MUST have experience with the refinery industry).
- F. **Site visits to facilities to review records on site, take samples, perform process evaluations, and other tasks necessary to support an enforcement action.** The contractor shall assist EPA in conducting site visits at specific refineries to gather additional information required to support case development. Prior to any visit, the contractor shall prepare for EPA a list of specific information to be obtained during the visit, and shall prepare a draft site visit plan. After approval of the plan by EPA, the contractor shall assist EPA in conducting the visit. EPA personnel will conduct all pre-visit coordination with the refinery. After the visit, the contractor shall prepare draft and final site visit reports documenting all activities that occurred during the site visit. If necessary, the contractor shall also visit state regulatory agencies to gather additional files. It is possible that sampling and analysis activities may be required under this task. In this event, the EPA WAM will provide written technical direction to the contractor identifying the specific refinery at which sampling will be required and all sampling points and parameters to be analyzed. The contractor shall prepare a written cost estimate for completing the sampling as and when necessary. After approval of the cost estimate, the contractor shall prepare a Quality Assurance Project Plan (QAPP) for all the sampling and analysis activities for EPA. The contractor shall provide the QAPP to the Project Officer prior to initiating any environmental measurement activities. Because all sampling will be handled through separate technical direction, the contractor should not include sampling in the work plan cost estimate. All sampling and analysis shall follow procedures set out in the general Statement of Work. Site visits that do not include sampling should require two (2) trips for four (4) to five (5) days, requiring two (2) staff members.

### **Task 3. FCCU Control Requirements**

The contractor shall support EPA in evaluating the implementation of FCCU controls as required by the consent decrees. This task consists of three primary activities: 1) reviewing additive trial results; 2) evaluating control technologies; and 3) reviewing hydrotreater outage plans.

Refiners subject to decrees are required to evaluate the performance of catalyst additives for controlling NO<sub>x</sub> and SO<sub>2</sub> from Fluid Catalytic Cracking Units (FCCUs). In order to evaluate the performance of these catalyst additives, several refining companies are using models to simulate the parameters bounding the performance of the FCCUs under different operating scenarios, and to simulate the actual performance of the catalyst additives themselves. For approximately twenty (20) companies and fifty (50) refineries, the Contractor shall support EPA in assessing catalyst additive baseline models, trials, optimizations, and demonstrations, and in reviewing proposed emissions limits for catalyst additives and other control technologies to determine if they are consistent with the requirements of the Consent Decrees. This will include development and use of statistical and deterministic models to evaluate the models used by the refineries. Specifically, the contractor shall perform the following activities:

- A. The contractor shall review the baseline models to identify the parameters tracked, algorithms used, assumptions made, and statistical approaches used to model emissions. The contractor shall prepare a table summarizing this information.
- B. The contractor shall conduct an engineering and scientific assessment of the models to evaluate the validity of the models in estimating emissions. This will include comparing the model results to various trials and demonstrations conducted by the refineries. The contractor will evaluate all optimization tests to verify optimal addition rates in terms of emissions and costs.
- C. The contractor shall perform a statistical analysis of the models to evaluate the validity of models in estimating emissions. This will include developing and using statistical and deterministic models to evaluate the validity of the models used by the refineries.



- D. The contractor shall review proposed emissions limits to determine if they are consistent with the requirements of the Consent Decrees. The contractor shall prepare a summary presenting and comparing the proposed emissions limits.
- E. The contractor shall review additive trial protocols and prepare summary memorandum identifying deficiencies and concerns with the protocol.
- F. The contractor shall review process operating data to evaluate causes in emissions trends and to evaluate concerns raised by refiners regarding impacts of the additives on operation of the FCCUs. The contractor shall provide spreadsheets, graphs, and other summaries and presentations of additive trial results.
- G. The contractor shall support EPA in evaluating the effectiveness of FCCU control technologies (e.g., selective catalytic reduction, selective noncatalytic reduction, LoTOx). The contractor shall review control technology design documents submitted by refiners to evaluate the anticipated effectiveness of the proposed designs. The contractor shall also review control technology performance and cost data to evaluate the cost effectiveness of various control options.
- H. The contract shall review hydrotreater outage plans as required by the decrees. These plans will be compared to the protocol outage plan prepared under a previous work assignment, and identify deficiencies and recommended revisions to the outage plans.

This task may require travel to refineries for site visits to collect data, evaluate controls, or meet with refinery personnel. Travel would include no more than two (2) trips for two (2) to three (3) days, requiring two (2) staff members.

#### **Task 4. Flaring Response Support**

The contractor shall support EPA in evaluating flaring reports submitted by the refiners. For each report, the contractor shall evaluate the root cause of the flaring incident, verify the emissions estimates provided by the refiner, assess any mitigation strategies and correction actions taken by the refiner, and prepare a draft letter summarizing the analysis.

The contractor shall also continue to update and analyze a database of flaring incidents and releases. This database was initially developed under a previous work assignment. The contractor shall enter data for each new incident reported by refiners, including the date of the incident, the duration, and the emissions. The contractor shall provide periodic analyses of the information in this database to evaluate trends in flaring incidents and releases over time.

#### **Task 5. Heater and Boiler Emissions Control**

The contractor shall review heater and boiler NOx minimization plans and compare these to the requirements of the decrees. Items to be evaluated including technical feasibility of controls, estimated reductions associated with controls, and ability of the proposed controls to achieve the reductions required by the consent decree. As testing results are provided by the refiners, the contractor shall evaluate these results to ensure that the refiners are achieving the required reductions. This includes evaluating operating parameters during the tests to ensure the tests are representative, and verifying reported emissions.

#### **Task 6. Benzene NESHAP Requirements**

Refiners may be required to submit waste schematics, sampling plans, compliance plans or other documentation to ensure compliance with the Benzene NESHAP program. At the direction of the WAM, the contractor shall review these reports to evaluate issues. The specific issues to be evaluated will be identified in written technical direction from the WAM.

#### **Task 7. Leak Detection and Repair (LDAR) Requirements**

Refiners may be required to make enhancements to their LDAR program to minimize or eliminate fugitive emissions of volatile organic compounds ("VOCs"), benzene, volatile hazardous air pollutants ("VHAPs"), and organic hazardous air pollutants ("HAPs") from equipment. At the direction of the WAM, the contractor shall review these reports to evaluate issues. The specific issues to be evaluated will be identified in written technical direction from the WAM.

#### **Task 8. Review of Quarterly Reports**

Refiners are required to submit quarterly reports summarizing progress towards implementing the requirements of the consent decrees. At the direction of the WAM, the contractor shall review these reports to evaluate issues. The specific issues to be evaluated will be identified in written technical direction from the WAM. The contractor shall review quarterly reports for up to eight refineries.

### **Task 9. Briefing Support**

Upon written technical direction from the WAM, the contractor shall prepare materials to support briefings to EPA management and others. These materials include, but are not limited to, spreadsheets, PowerPoint presentations, charts, and graphs. The contractor shall support up to eight briefings.

### **Task 10. Consent Decree Tracking and Support Activities**

The contractor shall support EPA in petroleum refinery consent tracking, as described below.

- A: Identification of CD deliverables. The contractor shall review each new consent decree and identify all the deliverables required by the CD and the schedule for submitting deliverables. The contractor shall also, in consultation with the WAM, identify the principal recipient(s), at EPA headquarters, Regions, and/or at the Department of Justice, of the various deliverables. The contractor shall prepare a table for each CD identifying all CD deliverables, due dates and recipient(s).
- B: CD deliverable tracking, distribution and maintenance. The contractor shall track the dates on which companies submit required deliverables and compare those dates to the CD schedule. The contractor shall notify the WAM of any deviations from the CD schedule within one day from any missed deadline. The contractor shall copy and distribute the various CD deliverables to the appropriate recipients. Finally, the contractor shall organize and maintain copies of all CD files and deliverables in a secure site. The contractor shall provide updated master inventories and deliverable tracking tables on an as needed basis and prior to each monthly conference call for use by the appropriate recipient(s).
- C: CD deliverable technical analysis. At the direction of the WAM, the contractor shall analyze the CD deliverables. The analysis shall include preliminary findings on whether the CD deliverables are in compliance with the requirements of the CD. The contractor shall prepare a report for each CD summarizing the preliminary compliance findings for each CD deliverable. The contractor shall prepare a report for each CD summarizing the preliminary compliance findings for each CD deliverable and distribute it to the appropriate recipient(s).
- D: CD Data Evaluation. At the direction of the WAM, the contractor shall collect and evaluate source data from the documents submitted in accordance with the CD. The contractor shall provide assistance in maintaining a data base of these data gathered from the CDs. The contractor shall provide results of this evaluation/analysis on the source data as requested (i.e., in the form of various types of reports). The contractor shall prepare reports, tables, and charts analyzing and/or summarizing data gathered from the CDs. These reports shall be carefully and diligently QA/QC and provided in draft form to the WAM. After receiving comments from the WAM concerning these reports the contractor shall issue a final report to the WAM.

### **Task 11. Training Support**

As requested through technical direction from the WAM, the contractor shall provide training support related to all CAA statutes, regulations, and requirements (e.g. NESHAPS, PSD/NSR, NSPS, BACT, MACT, and others). This training may also include industrial sector-specific process training. The contractor shall be responsible for content development and training materials preparation and delivery, and may be asked to provide logistical support (e.g., scheduling training, course registration, arranging training locations, audio/visual equipment). Upon receipt of technical direction, the contractor shall prepare an outline of the training course content. After EPA approval of the outline, the contractor shall prepare the draft training presentation and materials for EPA review, and incorporate EPA comments to prepare the draft training presentation and materials.

### **Task 12. National and Regional Meeting and Conference Support and Facilitation**

Under this task, the contractor shall provide any instructional and/or logistical support needed in preparation for a national meeting or regional meeting for EPA and State enforcement and inspection staff on enforcement-related and technical issues (in the classroom, and as appropriate, in the field), including any logistical or instructional support related to the meeting or training.

**A. Logistical support.** Provide logistical support related to meetings and training to include registration, contracting with hotels to rent conference facilities, light refreshments (for EPA staff on travel status only) and audiovisual equipment, and, as appropriate, taking notes, facilitating hands-on training (e.g. visits to the field), developing and providing agendas, presentation or course materials, handouts, furnishing speakers, instructors, and facilitators, and developing and providing event summaries and evaluation forms. Light refreshments arrangements for the national meetings shall only be provided to EPA employees on travel status.

B. Instructional support. Provide instructional support related to workshops and training to include developing and providing agendas, course materials, presentation materials, handouts (e.g. graphics, exhibits, slides, model inspector checklists), furnishing instructors and speakers, and developing and providing workshop and training course summaries.

## DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS

Table 1 outlines the specific deliverables and time lines for each task. Each designated task may not need to be performed for each facility. The contractor shall provide all necessary personnel, materials, equipment, and work space to perform the assigned tasks. The contractor must assign personnel with regulatory background and process knowledge of the facility being investigated.

The work assignment may involve the contractor retaining as needed the testimony of experts in various areas of air emission control devices, stack emissions testing, BACT, MACT, environmental assessment, pollution prevention, financial analysis, and related specialties to use as expert witnesses in pre-litigation preparation and in Federal Court testimony. As such the contractor shall develop a mechanism to quickly locate and retain such experts.

In certain cases, EPA may suggest a specific expert for the contractor to contact and request a proposal for the work. Such cases will arise when a specific expert has testified or conducted other activities for the government in similar cases and the Department of Justice or EPA attorneys believe that it is essential to the interests of the Government that this expert be retained. Often the ability of an expert to clearly and concisely present testimony is the critical factor in winning the litigation. In some instances, an expert will need to be identified and retained in two weeks or less. The contractor shall use this time frame as a guide in establishing its system to obtain experts.

**Table 1**  
**Deliverables**

Task	Due Date*
1A. Work Plan (including cost estimate)	
1B. Monthly Progress Report	The 15th of each month
2A. Review of information submitted under information collection statutes (e.g. CAA §114 requests)	Within 60 days of TD depending on amount
2B. Administrative records support	Within 30 days of TD
2C. Document, report, or graphic presentation	Draft within 60 days of TD
2D. Financial Analysis	Draft within 60 days of TD
2E. Providing expert witnesses for EPA's approval and use	Within 15 days of TD
2F-1. On-site sampling, records reviews, process evaluations, etc.	Draft within 60 days of TD
2F-2. Quality Assurance Project Plan (QAPP)	Two weeks prior to initiating any environmental measurement activities directed by the EPA WAM.
3. FCCU Control Requirements Analysis	Within 30 days of TD
4. Flaring Response Support	Within 15 days of receiving incident
5. Heater and boiler emissions control	Within 30 days of TD



Task	Due Date*
6. Benzene NESHAP requirements	Within 30 days of TD
7. LDAR Requirements	Within 30 days of TD
8. Quarterly Report Review	Within 30 days of TD
9. Briefing Support	Within 30 days of TD

\* Specific due dates for several of the tasks will be identified in written technical directions from the WAM. All finals for any draft, 2 weeks or sooner as per written comments from WAM.

#### DELIVERABLES FOR TASK 10

- A: The contractor shall prepare a table for each CD identifying all CD deliverables, due dates and recipient(s) as is necessary (at minimum monthly).
- B: The contractor shall prepare a report for each CD summarizing the preliminary compliance findings for each CD deliverable and distribute it to the appropriate recipient(s) as directed and as is necessary (at minimum monthly).
- C: The contractor shall prepare a report for each CD summarizing the preliminary compliance findings for each CD deliverable and distribute it to the appropriate recipient(s) as is necessary (at minimum monthly).
- D: The contractor shall provide results of this evaluation/analysis on the source data as requested.

**ANTICIPATED TRAVEL REQUIREMENTS** - Technical directions will be issued by the WAM to clarify the specific travel dates and the anticipated number of persons required for the following tasks:

Task	Travel Destination/Purpose	Details
2	Various refineries for information gathering and sampling and to Headquarters and Regions for meetings and Conferences	2 trips of 2 persons for 4-5 days. Trips may be combined for efficiency.
3	Various refineries for data collection, control evaluation, and meetings with refinery personnel	2 trips of 2 persons for 2-3 days. Trips may be combined for efficiency.

#### ESTIMATED LEVEL OF EFFORT (HOURS)

The estimated total level of effort requirement for the first year of this two year base period, (October 1, 2009 through September 30, 2011), is 6,400 hours and shall be funded incrementally.

#### REPORTING REQUIREMENTS

Reporting requirements shall be the same as in the contract except that the following restrictions are added for enforcement case support.

All files or other information claimed by a facility to be Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only contractor personnel directly involved in the case or special project assignment. Contract, subcontract, or consultant personnel must sign CBI agreements before gaining access to such information.

The contractor shall maintain individual cost accounts for each task and refiner and be prepared to give status reports broken out task and refiner whenever requested by the WAM. Such information shall not be released to other parties without WAM or Project Officer (PO) approval.

The contractor shall contact the Contracting Officer (CO), PO, and WAM by telephone to discuss any problems that may adversely affect the work on this work assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation needs to be available to the CO, PO, and WAM.

## **CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

## **CONTROL REQUIREMENTS**

### **1. Enforcement Sensitive Information:**

The contractor recognizes that contractor employees in performing tasks specified by this WA may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

### **2. Project Employee Confidentiality Agreement**

The contractor agrees that the contractor employee will not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA Project Officer. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of the contract.

### **3. Handling of Confidential Business Information (CBI)**

- A.** To the extent that the work under this contract requires access to proprietary or confidential business or financial data of other companies, and as long as such data remains proprietary or confidential, the contractor shall protect such data from unauthorized use and disclosure.
- B.** All files or other information identified as Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only contractor personnel directly involved in the case or special project assignment. The contractor, subcontractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts

with the EPA and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. The contractor subcontractors, and consultant must adhere to EPA-approved security plans which describes procedures to protect CBI, and are required to sign non-disclosure agreements before gaining access to CBI.

- C. All official data, findings, and results of investigations and studies completed by the contractor shall be available for EPA and DOJ internal use only. The contractor shall not release any part of such data without the written direction of the WAM.

4. Facility Inspections Credentials

Contractor employees who conduct lead inspections on behalf of the Environmental Protection Agency (EPA) under this SOW must complete the following EPA Training Program requirements as specified in Item 4 of Executive Order 3500.1. These are the: a) Basic Inspector Training; b) Occupational Health and Safety Training; and c) Program Specific Training. Authorization letter will be issued to the contractor staff by the WAM Program Office Director. The contractor shall present the authorization letter at the time of the facility or site inspection with their proper identification as the EPA contractor of this contract.

5. Quality Assurance Project Plan (QAPP)

Should the contractor be required to conduct any environmental measurements under this task order, the contractor shall provide the quality assurance project plan to the Project Officer prior to initiating these activities. The plan shall be prepared in accordance with the EPA Quality Manual for Environmental Program 5360 A1, May 5, 2000, EPA Requirements for Quality Assurance Project Plans (QA/R-5 dated 3/20/01) <http://epa.gov/quality/qs-docs/r5-final.pdf>

For any tasks that require the analysis or evaluation of secondary data the contractor shall provide a QAPP.

6. Conflict of Interest (OCI)

A. Organizational Conflict of Interest:

The contractor shall warrant that, to the best of the contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the contractor has disclosed all such relevant information.

B. Notification of Conflicts of Interest Regarding Personnel:

The contractor shall immediately notify the Project Officer and the Contracting Officer of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this contract, or (2) any such conflicts concerning subcontractor employees or consultants working on or having access to information regarding the contract, when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, subcontractor employee, or consultant with an entity that may impair the objectivity of the employee, subcontractor employee, or consultant in performing the contract work.



United States Environmental Protection Agency  
Washington, DC 20460

Work Assignment Number

ETS-0-2(CE)

## Work Assignment

☐ Original ☒ Amendment Number: 1

Contract Number  
EP-W-09-033

Contract Period  
Base X

Option Period Number

Title of Work Assignment  
Petroleum Refinery Initiative Support  
Activities

Contractor  
EASTERN RESEARCH GROUP INC

Specify Section and Paragraph of Contract SOW

Purpose: ☐ Work Assignment Initiation ☐ Work Assignment Close-Out  
☒ Work Assignment Amendment ☐ Incremental Funding  
☒ Work Plan Approval

Periods of Performance

From: 10/01/09

To: 09/30/11

Comments:

This action approves the work plan dated 10/21/09.

☐ Superfund

### Accounting and Appropriations Data

☒ Non-Superfund

Line	DC (Max 6)	Budget/FYs (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1											
2											
3											
4											
5											

### Authorized Work Assignment Ceiling

Contract Period: Previously Approved	Cost/Fee \$0.00	LOE 6,400
This Action	\$596,511.00	0
Total	\$596,511.00	6,400

### Work Plan / Cost Estimate Approvals

Contractor WP Dated: 10/21/09	Cost/Fee: \$596,511.00	LOE: 6,400
Cumulative Approved: 11/19/09	Cost/Fee: \$596,511.00	LOE: 6,400

Work Assignment Manager Name

SOUNJAY K. GAIROLA

Branch/Mail Code 2242A

Phone Number 202-564-4003

Fax Number 202-564-0068

(Signature)

(Date)

Project Officer Name

MILA M. LY

Branch/Mail Code 2248A

Phone Number 202-564-3713

Fax Number 202-564-0010

(Signature)

(Date)

Other Agency Official Name

Branch/Mail Code

Phone Number

Fax Number

(Signature)

(Date)

Contracting Official Name

RACHEL SCHWARTZ

Branch/Mail Code 3803R

Phone Number 202-564-1053

Fax Number 202-565-2554

(Signature)

(Date)

Contractor Acknowledgement of Receipt and Approval of Workplan (Signature and Title)

Date

# Petroleum Refinery Initiative Support Activities

Contract: EP-W-09-033, Work Assignment: ETS-0-2 (CE), Amendment: 0001

## Summary Information

Title: Petroleum Refinery Initiative Support Activities  
Period of Performance: From: 10/01/09  
To: 09/30/11  
Award Date: 10/01/09  
Total Funding:

## WA Totals

The following item(s) have been added:

Category	POP	Amount
Estimated Cost	Base Pd.	(b)(4)
Fixed Fee	Base Pd.	



United States Environmental Protection Agency  
Washington, DC 20460

Work Assignment Number

ETS-0-2

**Work Assignment**☐ Original ☒ Amendment Number: 2Contract Number  
EP-W-09-033Contract Period  
Base ☒ Option Period NumberTitle of Work Assignment  
Petroleum Refinery Initiative Support ActivitiesContractor  
EASTERN RESEARCH GROUP INCSpecify Section and Paragraph of Contract SOW  
See WA SOWPurpose: ☐ Work Assignment Initiation ☐ Work Assignment Close-Out  
☒ Work Assignment Amendment ☐ Incremental Funding  
☐ Work Plan ApprovalPeriods of Performance  
From: 10/01/09 To: 09/30/11

## Comments:

This purpose of this action is to obtain continuing support for this effort. Because of the uncertain nature of this work, an exemption has been granted to allow OCE to provide its LOE estimate. For planning purposes, estimate four, five-day, trips for two people to EPA Region 6. The Contractor shall provide a cost estimate.

☐ Superfund**Accounting and Appropriations Data**☒ Non-Superfund

Line	DC (Max 6)	Budget/FYs (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1											
2											
3											
4											
5											

**Authorized Work Assignment Ceiling**

Contract Period:	Cost/Fee	LOE
Previously Approved	\$596,511.00	6,400
This Action	\$0.00	2,500
Total	\$596,511.00	8,900

**Work Plan / Cost Estimate Approvals**

Contractor WP Dated :	Cost/Fee:	LOE:
Cumulative Approved:	Cost/Fee: \$596,511.00	LOE: 8,900

Work Assignment Manager Name

Branch/Mail Code 2242A

SOUNJAY K. GAIROLA

Phone Number 202-564-4003

(Signature)

(Date)

Fax Number 202-564-0010

Project Officer Name

Branch/Mail Code 2241A

ROSE M. GREEN

Phone Number 202-564-7105

(Signature)

(Date)

Fax Number 202-564-0010

Other Agency Official Name

Branch/Mail Code

Phone Number

(Signature)

(Date)

Fax Number

Contracting Official Name

Branch/Mail Code 3803R

RACHEL SCHWARTZ

Phone Number 202-564-1053

(Signature)

(Date)

Fax Number 202-565-2554

Contractor Acknowledgement of Receipt and Approval of Workplan (Signature and Title)

Date

# **Petroleum Refinery Initiative Support Activities**

Contract: EP-W-09-033, Work Assignment: ETS-0-2 (CE), Amendment: 0002

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## **Summary Information**

Title: Petroleum Refinery Initiative Support Activities  
Period of Performance: From: 10/01/09  
To: 09/30/11  
Award Date: 10/15/09  
Total Funding:

## **WA Classification**

*The following changes have occurred:*

The Labor Hour Ceiling has changed from 6400 to 8900.



United States Environmental Protection Agency  
Washington, DC 20460

Work Assignment Number

ETS-0-11

## Work Assignment

☐ Original ☒ Amendment Number: 3

Contract Number  
EP-W-09-033

Contract Period  
Base ☒ Option Period Number

Title of Work Assignment  
Petroleum Refinery Initiative Support Activities

Contractor  
EASTERN RESEARCH GROUP INC

Specify Section and Paragraph of Contract SOW  
See WA SOW

Purpose: ☐ Work Assignment Initiation ☐ Work Assignment Close-Out  
☒ Work Assignment Amendment ☐ Incremental Funding  
☒ Work Plan Approval

Periods of Performance

From: 10/01/09

To: 09/30/11

Comments:

This action approves the cost estimate dated 4/14/11.

☐ Superfund

### Accounting and Appropriations Data

☒ Non-Superfund

Line	DC (Max 6)	Budget/FYs (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1											
2											
3											
4											
5											

### Authorized Work Assignment Ceiling

Contract Period:	Cost/Fee	LOE
Previously Approved	\$596,511.00	8,900
This Action	\$255,888.00	
Total	\$852,399.00	8,900

### Work Plan / Cost Estimate Approvals

Contractor WP Dated : 4/14/11	Cost/Fee: \$255,888.00	LOE: 2,500
Cumulative Approved: 5/11/11	Cost/Fee: \$852,399.00	LOE: 8,900

Work Assignment Manager Name

SOUNJAY K. GAIROLA

Branch/Mail Code 2242A

Phone Number 202-564-4003

Fax Number 202-564-0010

(Signature)

(Date)

Project Officer Name

ROSE M. GREEN

Branch/Mail Code 2241A

Phone Number 202-564-7105

Fax Number 202-564-0010

(Signature)

(Date)

Other Agency Official Name

Branch/Mail Code

Phone Number

Fax Number

(Signature)

(Date)

Contracting Official Name

MICHAEL GILHAM

Branch/Mail Code 3803R

Phone Number 202-564-6090

Fax Number 202-565-2554

(Signature)

(Date)

Contractor Acknowledgement of Receipt and Approval of Workplan (Signature and Title)

Date